

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTONIO BROWN,  
Petitioner

v.

H.L. HUFFORD,  
Respondent

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:  
: CIVIL NO. 1:12-CV-0800  
:  
: (Judge Caldwell)  
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*MEMORANDUM*

The pro se petitioner, Antonio Brown, has filed a petition under 28 U.S.C. § 2241 alleging that he was removed from a residential re-entry center (RRC) in retaliation for having complained about certain treatment. He also complains he was removed without due process. He seeks re-admission into an RRC.

Respondent argues that the petition should be dismissed because Petitioner has failed to exhaust his administrative remedies and because the petition lacks merit in any event. We agree that Petitioner has failed to exhaust his administrative remedies and will dismiss the petition without reaching the merits.

The BOP has established a multi-tiered process for a federal prisoner to seek formal review of any aspect of his imprisonment. 28 C.F.R. §§ 542.10-542.19. First, “an inmate shall . . . present an issue of concern informally to staff, and staff shall attempt to informally resolve the issue before an inmate submits a Request for Administrative Remedy.” *Id.* § 542.13(a). Second, if an informal resolution does not work, the inmate may file with the warden “a formal written Administrative Remedy Request.”

*Id.* § 542.14(a). Third, from the warden's response, the inmate may appeal to the regional director. *Id.* § 542.15. Fourth, from the regional director the inmate may appeal to the general counsel (the Central Office). *Id.*

“Federal prisoners are ordinarily required to exhaust their administrative remedies before petitioning for a writ of habeas corpus pursuant to § 2241.” *Moscato v. Federal Bureau of Prisons*, 98 F.3d 757, 760 (3d Cir. 1996). *See also Vasquez v. Strada*, 684 F.3d 431, 433 (3d Cir. 2012). As Respondent points out, Petitioner failed to exhaust his administrative remedies by not filing an appeal to the Central Office. (Doc. 7-1. ECF p. 9). We will therefore dismiss the petition.

/s/ William W. Caldwell  
William W. Caldwell  
United States District Judge

August 20, 2013

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*O R D E R*

AND NOW, this 20th day of August, 2013, it is ordered that:

1. The petition (Doc. 1) for a writ of habeas corpus under 28 U.S.C. § 2241 is dismissed for failure to exhaust administrative remedies.
2. The Clerk of Court shall close this file.

/s/ William W. Caldwell  
William W. Caldwell  
United States District Judge